REMARKS

This application has been carefully reviewed in light of the Office Action dated September 19, 2007. Claims 1 to 13 are pending in the application, of which Claims 1, 2, 4 to 7 and 9 to 13 are independent. Reconsideration and further examination are respectfully requested.

Claims 1 to 11 were rejected under 35 U.S.C. § 102(e) over U.S. Published Appln. No. 2005/0060650 (Ryan). Reconsideration and withdrawal of this rejection are respectfully requested.

The present invention concerns per page billing for printing a document. Specifically, the present invention provides for non-billed page of a document. By virtue of this feature, an information processing apparatus can control a printer so as not to perform a process relating to billing for the page which is not printed by the printer by providing a non billing command to the printer. In a system using this feature, there is no need for tracking after the print process is completed in order to make an adjustment in the number of billed pages to account for the non-billed page.

Turning to specific claim language, amended independent Claim 1 is directed to a method of controlling an information processing apparatus which supplies print data to a printer. The method includes a generating step of generating print data for printing a document on the printer; a determining step of determining whether or not the document includes a page which is not printed by the printer; a print setting structure output step of outputting, when it is determined in the determination step that the document includes a page which is not printed by the printer, a print setting structure indicating that the page is not subject to billing to a rendering unit of an OS; and a providing step of providing the print data to the printer. The generating step generates a non-billing command upon receiving the print setting structure via the rendering unit, and the

providing step provides the non-billing command to the printer before the printer prints the page of the document, so that the printer does not perform a process relating to billing for the page during printing of the document based on the print data.

In contrast, Ryan discloses a print process in which a PMC generates a Fetch Sheet PDL and sends it to a designated printer if the print data includes preprinted or non-printed sheets. (See paragraphs [0076]-[0078] of Ryan.) In addition, Ryan discloses that a FMC tracks job segments relating to the print process and detects whether any missing sheets are contained by a paper jam or the like. However, Ryan fails to disclose or suggest determining whether or not the document includes a page which is not printed by the printer, outputting a print setting structure when it is determined that the document includes a page which is not printed by the printer, a print setting structure indicating that the page is not subject to billing to a rendering unit of an OS, and providing the print data to the printer as featured in Claim 1. Furthermore, Ryan fails to disclose or suggest generating a non billing command upon receiving the print setting structure via a rendering unit wherein the non billing command is provided to the printer before the printer prints the page of the document, so that the printer does not perform a process relating to billing for the page during printing the document based on the print data.

In light of the deficiencies of Ryan as discussed above, Applicants submit that amended independent Claim 1 is now in condition for allowance and respectfully request same.

Claim 2 is directed to a method of controlling an information processing apparatus that supplies print data to a printer which comprises a middle insert unit configured to insert an index sheet between printed print sheets upon printing and exhausting print sheets. The method comprises a setting step of setting whether or not an index sheet is to be inserted; a generating step of generating print data for printing a document on the printer; and a providing step of

providing the print data to the printer, wherein said providing step provides a non-billing command to the printer before processing the index sheet in the printer so that the index sheet is not subject to the billing.

Applicants submit that the discussion from above in support of Claim 1 applies as well to Claim 2. Namely, while Ryan discloses a print process in which a PMC generates a Fetch Sheet PDL and sends it to a designated printer if the print data includes preprinted or non-printed sheets, Ryan fails to disclose or suggest setting whether or not an index sheet is to be inserted, and providing the print data to the printer wherein a non-billing command is provided to the printer before processing the index sheet in the printer so that the index sheet is not subject to the billing.

In light of the deficiencies of Ryan as discussed above, Applicants submit that amended independent Claim 2 is now in condition for allowance and respectfully request same.

Amended independent Claims 4 and 5 are directed to a computer program and an apparatus, respectively, substantially in accordance with the method of Claim 2. Accordingly, Applicants submit that Claims 4 and 5 are also now in condition for allowance and respectfully request same.

Claim 6 is directed to a print system having a printer which comprises a middle insert unit configured to insert an index sheet between printed print sheets upon printing and exhausting print sheets, and a host computer connected to said printer. The host computer comprises a setting unit configured to set whether or not an index sheet is to be inserted; a generating unit configured to generate print data for printing a document on said printer; a providing unit configured to provide the print data to said printer; and an instructing unit configured to, when said setting unit sets that the index sheet is to be inserted, instruct said

printer to exclude the index sheet to be inserted from sheets to be billed when said printer prints the document based on the print data. The printer comprises a printing unit configured to print the document based on the provided print data; a counting unit configured to count the number of sheets for the purpose of billing; and a controlling unit configured to control a count operation of said counting unit on the basis of an instruction from said instructing unit, so that said counting unit does not count up the number of sheets for the purpose of billing when the index sheet is inserted, and counts up the number of sheets for the purpose of billing when the printed sheet is discharged.

Applicants submit that the discussion from above in support of Claim 1 applies as well to Claim 6. Namely, while Ryan discloses a print process in which a PMC generates a Fetch Sheet PDL and sends it to a designated printer if the print data includes preprinted or non-printed sheets, Ryan fails to disclose or suggest a control unit configured to control a count operation of said count unit on the basis of an instruction from said instruction unit, so that said count unit does not count up the number of sheets for the purpose of billing when the index sheet is inserted, and counts up the number of sheets for the purpose of billing when the print sheet is printed.

In light of the deficiencies of Ryan as discussed above, Applicants submit that amended independent Claim 6 is now in condition for allowance and respectfully requests same. Furthermore, Claim 12 is directed to a method substantially in accordance with the system of Claim 6. Accordingly, Applicants submit that Claim 12 is also in condition for allowance and respectfully request same.

Claim 7 is directed to a method of controlling an information processing apparatus that supplies print data to a printer which comprises a print unit capable of forming images on

two faces of a print sheet and exhausting the printed print sheet. The method comprises a setting step of setting whether or not a blank sheet is to be inserted between printed print sheets; a generating step of generating print data for printing a document on the printer; and a providing step of providing the print data to the printer, wherein said providing step provides a non-billing command to the printer before processing the blank sheet in the printer so that the blank sheet is not subject to the billing.

Applicants submit that the discussion from above in support of Claim 1 applies as well to Claim 7. Namely, while Ryan discloses a print process in which a PMC generates a Fetch Sheet PDL and sends it to a designated printer if the print data includes preprinted or non-printed sheets, Ryan fails to disclose or suggest a setting step of setting whether or not a blank sheet is to be inserted between printed print sheets; and a providing step of providing the print data to the printer, wherein said providing step provides a non-billing command to the printer before processing the blank sheet in the printer so that the blank sheet is not subject to the billing.

In light of the deficiencies of Ryan as discussed above, Applicants submit that amended independent Claim 7 is now in condition for allowance and respectfully request same.

Amended independent Claims 9 and 10 are directed to a program and an apparatus, respectively, substantially in accordance with the method of Claim 7. Accordingly, Applicant submits that Claims 9 and 10 are also now in condition for allowance and respectfully requests same.

Claim 11 is directed to a print system which has a printer which comprises a print unit capable of forming images on two faces of a print sheet, and a host computer connected to said printer. The host computer comprises a setting unit configured to set whether or not a blank sheet is to be inserted between printed print sheets; a generation unit configured to generate print

data for printing a document on said printer; a providing unit configured to provide the print data to said printer: and an instruction unit configured to, when said setting unit sets that the blank sheet is to be inserted, instructs said printer to exclude the blank sheet to be inserted from sheets to be billed when said printer prints the document based on the print data. The printer comprises a print unit configured to print the document based on the provided print data; a count unit configured to count the number of sheets for the purpose of billing; and a control unit configured to control a count operation of said count unit on the basis of an instruction from said instruction unit, so that said count unit does not count up the number of sheets for the purpose of billing when the blank sheet is inserted, and counts up the number of sheets for the purpose of billing when the printed sheet is discharged.

Applicants submit that the discussion from above in support of Claim 1 applies as well to Claim 11. Namely, while Ryan discloses a print process in which a PMC generates a Fetch Sheet PDL and sends it to a designated printer if the print data includes preprinted or non-printed sheets, Ryan fails to disclose or suggest a control unit configured to control a count operation of said count unit on the basis of an instruction from said instruction unit, so that said count unit does not count up the number of sheets for the purpose of billing when the blank sheet is inserted, and counts up the number of sheets for the purpose of billing when the printed sheet is discharged.

In light of the deficiencies of Ryan as discussed above, Applicants submit that amended independent Claim 11 is now in condition for allowance and respectfully requests same. Furthermore, Claim 13 is directed to a method substantially in accordance with the system of Claim 11. Accordingly, Applicants submit that Claim 13 is also in condition for allowance and respectfully request same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

CONCLUSION

Finally, the previous claim count totaled 11 (20 paid-for), with 9 independent claims. The present amendment adds 2 independent claims, bringing the total claim count to 13, 11 of which are independent. Therefore, the fee difference between the previous claim count and the current claim count is 2 additional independent claims ($420.00). Accordingly, the Director is hereby authorized to charge $420.00 for additional claims to Deposit Account 50-3939.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Frank Cire #42,419/
Frank L. Cire
Attorney for Applicants

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

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